



## Legislative Fiscal Bureau

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May 14, 2002

TO: Members  
Wisconsin Legislature

FROM: Bob Lang, Director

SUBJECT: May 2002 Special Session Assembly Bill 1: Chronic Wasting Disease

Following is a summary of the provisions of May 2002 Special Session Assembly Bill 1 on chronic wasting disease (CWD) management. The page and item numbers listed after several provisions refer to the Legislative Fiscal Bureau summary of budget adjustment recommendations (January 2002 Special Session AB 1) of the Assembly and Senate dated April 12, 2002.

**Veterinary Diagnostic Laboratory Lapse** (Page 22 #8). Require the UW System to lapse \$933,900 from the veterinary diagnostic lab PR appropriation to the general fund on June 30, 2002. This amount includes a \$667,500 lapse required by 1999 Act 107 and an additional \$266,400 lapse, leaving a program revenue account balance of approximately \$350,000 (after appropriated program revenue expenditures in excess of \$5.4 million for laboratory supplies, services and equipment in the biennium).

**Chronic Wasting Disease Testing** (Page 220 #2). Provide \$2,000,100 SEG in one-time funding with 3.0 project positions in 2002-03 in a new DNR annual appropriation from wildlife damage surcharge revenues for the management of and testing for chronic wasting disease in deer and elk. Funding would be used for herd monitoring and sampling, equipment, supplies, travel, LTE and overtime costs and for a project veterinarian, public information officer and data manager position. In addition, provide \$2,000,000 SEG in the Joint Committee on Finance supplemental appropriation for release to DNR under the s. 16.515, 14-day passive review process, as necessary, upon DNR submission of a detailed plan, including a recommended source or sources of funding with no more than \$1 million from wildlife damage surcharge revenues, for CWD management. Any funds approved by Joint Finance that are not from the conservation fund, would be deposited to the conservation fund for transfer to a DNR annual appropriation for CWD management.

Further, provide the University of Wisconsin affiliated Wisconsin Veterinary Diagnostic Laboratory with \$901,600 PR and 6.0 PR positions in 2002-03 for testing deer and elk for CWD.

Funding would be used for staff related costs (two unclassified pathologists, two histology technicians, a senior lab technician and a program assistant), testing equipment, supplies and incineration. Program revenues would be provided by DNR from the agency's SEG appropriation for CWD disease testing.

**Shooting Diseased Wildlife from the Air or Roadway** (Page 221 #3). Allow DNR to authorize state and federal employees, acting within the scope of their employment, to shoot wild animals within a DNR designated CWD eradication zone from a vehicle, roadway or with the aid of aircraft for the purpose of testing for disease, or the removal of diseased wild animals.

**Feeding Wild Animals** (Page 221 # 4). Direct DNR to promulgate rules to regulate the recreational and supplemental feeding of wild animals for purposes other than hunting. The Department currently regulates the feeding of deer for hunting purposes.

Sunset the DNR authority under items #3 and 4 on September 1, 2003 unless extended by a majority vote of the standing committee for natural resource matters of both Houses of the Legislature prior to September 1, 2003. Allow the committees to extend the provision upon finding that an extension is necessary to control the spread of infectious disease in wild animals. Require the committee chairpersons to notify the Revisor of Statutes if the provisions are extended and require the Revisor to publish the notice in the Wisconsin Administrative Register.

**Department of Agriculture, Trade and Consumer Protection Emergency Rule Authority.** Allow the Joint Committee for Review of Administrative Rules (JCRAR) to extend the effective period of DATCP's emergency administrative rules related to CWD in cervids (affecting ATCPs 10 and 11) and any related amendments for periods specified by JCRAR, but not to extend beyond September 1, 2003. The original emergency rule took effect on April 9, 2002 and generally deals with the registration, importation, movement, testing and quarantine of farm-raised deer.

## **Fiscal Effect**

The bill would require a \$933,900 program revenue lapse to the general fund. In addition the bill would provide up to \$4,000,100 SEG in 2002-03 (with up to \$3 million from wildlife damage surcharge revenues) with 3.0 SEG project positions in DNR. The bill would also require the transfer of \$901,600 of DNR SEG funding to the Wisconsin Veterinary Diagnostic Laboratory in 2002-03 as program revenues to fund 6.0 PR staff and related equipment and supplies to conduct CWD testing of deer.

As shown in the following table, the wildlife damage revenue appropriation within the fish and wildlife account of the conservation fund had a July 1, 2001, balance of over \$7 million and would be expected to have a June 30, 2003, balance of approximately \$3 million under the bill. Annual revenues since 1998-99 have ranged from \$2.3 to \$6.6 million (with revenue variations primarily based on the number of bonus deer permits sold each season) and expenditures have increased from \$2.6 to \$3.5 million (for wildlife damage administration, control, claims & abatement and the venison processing donation program).

**Wildlife Damage Surcharge Condition Statement**  
**(\$ in Millions)**

	Estimated <u>2001-02</u>	Estimated <u>2002-03</u>
Opening Balance	\$7.08	\$7.27
Total Revenue	<u>3.66</u>	<u>2.45</u>
Total Available	\$10.74	\$9.72
Current Expenditures	\$3.47	\$3.74
SS CWD Bill	<u>0.00</u>	<u>3.00</u> *
Total Expenditures	\$3.47	\$6.74
Closing Balance	\$7.27	\$2.98

\*Maximum allowed under the bill.

BL/DH/sas